

MINUTES  
INLAND WETLANDS AGENCY  
FEBRUARY 13, 2013 - 7:00 P.M.  
TOWN HALL ANNEX - COMMUNITY ROOM 2

I. ROLL CALL

Agency: Scott, Block, Sutphen, Ashworth, Furlong, Williams  
Staff: Jones, Silsby

The meeting was called to order by Chairperson Scott at 7:00 p.m.

II. PUBLIC COMMUNICATIONS

1. DEEP Letter to Gary Schneider regarding Farmstead Avenue Culvert Replacement

Staff explained the need for this culvert replacement and why a water diversion permit is required. She stated that this work requires a federal permit as well as a local wetland permit.

III. APPROVAL OF THE MINUTES OF October 10, 2012

Motion by Sutphen, seconded by Ashworth, so voted as amended

IV. NEW APPLICATIONS

1. G&S Trolley Trail Phase II

Debra Marshall-Baker, Town Engineer, explained that this project will renovate 1,918 linear feet of existing deteriorating gravel trail by removing vegetation on the shoulder, re-grading the existing path, and installing a new 12 foot wide and 3 inches thick bituminous pavement surface. The existing collapsing culverts will be replaced and a new pedestrian stairway will be added where erosion has gullied a side trail leading to Neptune Drive. She reviewed the map showing Phases 1 and 2. Background information was given about this bike trail. She stated that Groton Utilities maintains power and water lines in the area, and owns the land on which the trail is built. She noted that very little fill will be brought in.

An inquiry was made as to how close the grass will be planted to the wetlands. Discussion followed. Furlong is concerned about possible oil leakage from equipment maintaining the grassed area.

Staff stated that culverts are being upgraded to larger sizes. Staff review will be held in the next couple of weeks. IWA members will view the property individually.

Motion to classify as minor by Sutphen, seconded by Block, so voted unanimously

V. NEW BUSINESS

1. 45 Prospect Street – Jurisdictional Ruling

Staff noted the letter from the owners, Cindy and Jay Fortner, dated January 28, 2013, was included in the agenda packet. In the letter, the owners state that they removed invasive species in the wetland area in an effort to maintain a native wetland environment. Staff reviewed the location.

Mr. Fortner explained that they were not aware of the requirement to come before the Inland Wetland Agency prior to doing any activity in the wetland area. He noted that new native plants have been planted, in order to re-establish the boundary between the wetland and yard. He intends to install more native plants and will need to do control work in fighting the many invasive species by using Roundup spray.

Discussion followed about the best methods to remove and control invasive species. Staff explained that a buffer does exist with lawn and wood chips. She has viewed the property, noting that no soil has been disturbed. She stated that the IWA will need to determine whether a permit is required.

Members felt that this could be an improvement in protecting the wetlands. They stated that no permit would be required as long as the owners are not digging up the ground or ground spraying.

MOTION: To find that the removal of invasive species at 45 Prospect Street, as described in the January 28, 2013 letter from Cindy and Jay Fortner, is permitted as a non-regulated use in accordance with Section 4.2a of the Inland Wetlands and Watercourses Regulations as it conserves native vegetation and does not disturb the natural and indigenous character of the wetlands.

Motion read by Sutphen, seconded by Ashworth, so voted unanimously

2. 119/125 Fishtown Road – Jurisdictional Ruling

Block recused herself from this discussion and vote.

Chairman Scott appointed Furlong to sit for Block.

Staff stated that this property is owned by Brian Kent and his wife, Deborah Finco. She reviewed the property location and explained that they have a horse/animal rescue business located on the property at 125 Fishtown Road. The owners have recently acquired the adjacent 119 Fishtown Road. She noted that in the past, the Wetlands Agency had determined that land clearing was permitted as of right due to the agricultural use of the property. She stated that Ms. Finco is now requesting the Agency make the same finding for work on 119 Fishtown Road.

Staff reviewed the state statute, noting that the Wetlands Agency cannot require the owners to apply for a permit if the Agency has found that the activity is associated with an agricultural use that is allowed as of right.

MOTION: To find that the removal of vegetation at 119 Fishtown Road as described in the January 18, 2013 letter from Deborah Finco is an activity permitted as of right in accordance with Section 4.1a of the Inland Wetland and Watercourses Regulations as the activity is associated with farming as defined by the Connecticut General Statutes.

Motion made by Ashworth, seconded by Furlong, so voted 4 in favor, 0 opposed. Motion passed

3. Election of Officers

MOTION: To elect David Scott as Chairperson

Motion made by Ashworth, seconded by Sutphen, so voted unanimously

MOTION: To elect Eunice Sutphen as Vice Chairperson

Motion made by Block, seconded by Williams, so voted unanimously

MOTION: To elect Barbara Block as Secretary

Motion made by Scott, seconded by Ashworth, so voted unanimously

4. Report of Chair - None

5. Report of Staff - None

VI. ADJOURNMENT

Meeting adjourned at 8:15 p.m. by Sutphen, seconded by Block, so voted unanimously

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Dave Scott, Chairman  
Inland Wetland Agency

Prepared by Robin Silsby  
Office Assistant II